

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

PROGRESSIVE MOUNTAIN
INSURANCE COMPANY,

Petitioner,

v.

ROBERT RADCLIFF,
VBC EXPRESS LOGISTICS, LLC,
KEA TRANSPORTATION GROUP,
LLC, ALAN DISEKER, IV and
KENDALL DISEKER, Individually
and as parents and natural guardians of
ALAN DISEKER, V, a minor,
MARGARET MELZER, and
MICHELLE DENNEY, Individually
and as next friend of HUDSON
DENNEY, a minor child,

Respondents.

Civil Action File No.:
1:23-cv-02322-JPB

**PETITIONER'S MOTION FOR SERVICE BY PUBLICATION AS TO
RESPONDENT ROBERT RADCLIFF AND BRIEF IN SUPPORT**

The undersigned, appearing before me, an officer duly authorized and qualified by law to administer oaths hereby states, deposes, and swears as follows:

1.

My name is Samuel H. Sabulis and I am counsel for Petitioner. I am over the age of twenty-one (21) years of age and give this Affidavit of my own personal knowledge, information, and belief.

2.

This affidavit is given on the basis of having knowledge pertaining to the above-styled civil action and more particularly to the fact that Respondent Robert Radcliff (“Respondent”) cannot be found for service of summons. Affiant states that a claim exists against said Respondent, and service is to be made with respect to that claim. Respondent is a necessary and proper party to this action.

3.

The current address of the Respondent is unknown, and Petitioner does not know where the Respondent can be found. Respondent’s last known address is 1543 Delano Street, Savannah, Georgia 31415.

4.

On June 23, 2023, the Chatham County Sheriff’s Office attempted to serve Respondent at his last known address of 1543 Delano Street, Savannah, Georgia 31415. (See Non-Service upon Respondent attached to Petitioner’s Motion for Service by Publication as Exhibit “A.”) The deputy attempting service upon Respondent indicated that Respondent was in Atlanta.

5.

After receiving notification that Respondent could not be served at his last known address, I instructed my office to reach out to Respondent’s attorney of record in the underlying tort case, Kristine Snyder.

6.

Ms. Snyder indicated that she has also not been able to locate Respondent Radcliff. (A copy of the correspondence between attorney Kristine Snyder and my office is attached to Petitioner's Motion for Service by Publication as Exhibit "B.")

7.

Thereafter, I engaged Limitless Investigative Solutions, LLC to perform a skip trace on Respondent Radcliff in an attempt to locate said Respondent. The skip trace indicated that Respondent's new last-known address is 1900 Lincoln Street, Apt. #505, Savannah, Georgia 31401.

8.

On August 22, 2023, the Chatham County Sheriff's Office attempted to serve Respondent at his last known address of 1900 Lincoln Street, Apt. #505, Savannah, Georgia 31401. (See Non-Service upon Respondent is attached to Petitioner's Motion for Service by Publication as Exhibit "C.") The deputy attempting service indicated that pursuant to the current resident, Respondent Radcliff does not live at that address.

9.

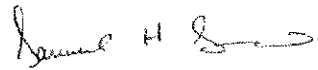
At all times relevant, I have diligently searched for any trace of Respondent on the internet and social media, finding nothing.

10.

I have employed due diligence in my attempts to locate and serve the named Respondent, and to this point, I have been unsuccessful in doing so. Accordingly, an order granting service by publication is proper in this case.

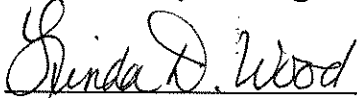
FURTHER AFFIANT SAYETH NOT.

This the 29th day of August, 2023.



Samuel H. Sabulis
Attorney for Petitioner

Sworn to and subscribed before me
this 29th day of August, 2023.



NOTARY PUBLIC

My Commission Expires: 3/2/2025

